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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from January 21, 2022 to March 22, 2022, for Plaintiff to serve on defendant with PLAINTIFF'S OPENING BRIEF. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's first request for an extension of time. Counsel has recently received a greater number of Answers and Certified Administrative Records from

1 defendant in cases in this district, and the three other California Districts, each of
2 which require settlement negotiations or merit briefing. Counsel has a greater than
3 usual number of merit briefs due in January 2021. In the Eastern District of
4 California, Counsel received 60 Certified Administrative Records for November
5 2021 through December 2021.

6 As to merit briefs, for the weeks of January 17, 2022 and January 24, 2022,
7 Counsel has 23 merit briefs, numerous reply briefs, and EAJA Motions. Counsel
8 also has 15 administrative hearings before the Office of Hearing Operations for
9 Social Security.

10 Due to Counsel's attempt to spread out the significant increase of briefs due
11 for prior months, in the month of January 2022, Plaintiff's Counsel has well over
12 34 merit briefs. And for February 2022, Plaintiff's Counsel has 19 merit briefs.

13 In addition, Counsel is responsible for reviewing Appeals Council ("AC")
14 denials for possible filing in US District Court. Counsel has received an unusual
15 and ever-increasing number of AC denials which require a review for possible
16 filing in US District Court. The AC has also recently denied our extension
17 requests at the administrative level to allow more time to review those files.
18 Therefore, Counsel is unable to push out any of the AC denials which are dated
19 within 65 days.

20 Lastly, Attorney Dolly M. Trompeter, an attorney with the firm Pena and
21 Bromberg, PC is currently out of State tending to her ill father prompting the
22 undersigned Counsel to take on additional matters on her behalf.

23 Due to the combination of the above issues, Counsel for Plaintiff has a larger
24 than usual number of briefs due for the months of January 2022 and February
25 2022.

26 Counsel for the Plaintiff does not intend to further delay this matter.
27 Defendant does not oppose the requested extension. Counsel apologizes to the
28 Defendant and Court for any inconvenience this may cause.

Respectfully submitted,

Dated: January 14, 2022 PENA & BROMBERG, ATTORNEYS AT LAW

By: /s/ Jonathan Omar Pena
JONATHAN OMAR PENA
Attorneys for Plaintiff

Dated: January 14, 2022

PHILLIP A. TALBERT
United States Attorney
LISA A. THOMAS
Regional Chief Counsel, Region VII
Social Security Administration

By: *s/ Jeffrey E. Staples
Jeffrey E. Staples
Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on January 14, 2022)

ORDER

Based upon the stipulation of the parties, and for cause shown, IT IS HEREBY ORDERED, that Plaintiff shall have an extension of time, to and include March 22, 2022, in which to file Plaintiff's Opening Brief; and that all other deadlines set forth in the Court's Scheduling Order (Doc. 5) shall be extended accordingly.

IT IS SO ORDERED.

Dated: **January 18, 2022**

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE